

Docket No.: 0973/1B889-US3

DECLARATION AND POWER OF ATTORNEY
(Continuation-In-Part Application)

As below named Inventors, we declare that:

1. The information given herein is true, and we believe that we are the original, first and sole inventor (if only one name is listed below), or joint inventors (if plural inventors are named below), of the invention entitled:

**SYSTEM AND METHOD FOR PROGRAMMABLE
ILLUMINATION PATTERN GENERATION**

which is described and claimed in:

- ☐ the attached specification or
- ☒ the specification in application
Serial No. 09/397,793
Filed: 9/17/99
(for declaration not accompanying application);

2. This application in part discloses and claims new subject matter as well as subject matter disclosed in an earlier-filed application(s).

This application is a continuation-in-part application of Application Serial No. 09/171,550, filed on October 26, 1998, corresponding to PCT International Application No. PCT/US97/08159, filed on April 24, 1997, which in turn is based on U.S. Provisional Application Serial No. 60/016,642, filed on April 25, 1996. Applicants hereby claim the priority of these prior applications pursuant to 35 U.S.C. §§ 119 and 120.

3. We acknowledge our duty to disclose information of which we are aware which is material to patentability in accordance with 37 C.F.R. §1.56, including such material information which occurred between the filing date of said earlier application and the filing date of this application.

4. We have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to herein.

5. As to the subject matter of this application which is common to said earlier application we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof, or more than one year prior to said earlier application or in public use or on sale in the United States of America more than one year prior to said earlier application; said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to said earlier application. As to the subject matter of this application which is common to said earlier application, we hereby claim the priority benefits under 35 U.S.C. 119 of any application(s) for patent or inventor's certificate listed below. All applications for patent or inventor's certificate on this invention filed by us or our legal representatives or assigns prior to the application(s) of which priority is claimed as to the common subject matter are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
U.S.	09/171,550	Oct. 26, 1998
U.S.	80/016,642	April 25, 1996

**ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED**

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
PCT	PCT/US97/08159	April 24, 1997

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6. As to the new subject matter of the present application which is not common to said earlier application we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in a printed publication in any country before our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of the present application, and said matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to the date of this application. As to the new subject matter of the present application which is not common to said earlier application, we hereby claim the priority benefits under 35 U.S.C. 119 of any application(s) for patent or inventor's certificate listed below. All applications for patent or inventor's certificate on this invention filed by us or my legal representatives or assigns prior to the application(s) of which priority is claimed for the new subject matter are also identified below.

PRIOR APPLICATION(S) IF ANY, OF WHICH PRIORITY IS CLAIMED

COUNTRY APPLICATION NO. DATE OF FILING

ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

COUNTRY APPLICATION NO. DATE OF FILING

Docket No.0973/1B8B9-US3

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Caplan #18,185, William F. Dodson, Jr. #20,589, Michael J. Sweedler #19,837, S. Peter Ludwig #29,351, Paul Fields #20,298, Marc S. Gross #19,914, Harold E. Wurst #22,183, Joseph B. Larch #26,938, Melvin C. Garner #26,272, Etan Horvitz #27,648, Beverly B. Goudreau #28,417, Adina C. Begoria #28,714, Martin E. Goldstein #20,868, Bert J. Lewent #19,407, Henry Sternberg #22,408, Robert A. Green #28,301, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Pierre R. Yanday #36,418.

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FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: Saul FIRST NAME: Michael MIDDLE NAME:

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FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: Chau FIRST NAME: Chiu MIDDLE NAME: Wo

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COUNTRY OF CITIZENSHIP: US

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CITY: Edison

STATE OR COUNTRY: NJ

ZIP CODE: 08820

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We further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1:


Michael SeulDATED: 12-10-99

SIGNATURE OF INVENTOR 2:


Chiu Wo ChauDATED: 12/10/99

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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: SEUL, Michael and CHAU, Chiu Wo
Serial No.: 09/397,793
Filed: September 17, 1999
For: **SYSTEM AND METHOD FOR PROGRAMMABLE PATTERN
GENERATION**
Examiner: P. Do (Group Art Unit 1641)

**REVOCATION OF POWERS OF ATTORNEY AND
APPOINTMENT OF NEW POWER OF ATTORNEY**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

For the above-referenced application, the undersigned revokes all previous Powers of Attorney and appoints Julie Bowker, Registration No. 37,870, as their principal attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all future correspondence to :

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Respectfully Submitted,

Bioarray Solutions, LLC (Assignee)

By: Michael Sasi Date: 11-21-00.
Name: Michael Sasi
Title: CEO.